

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Complainant,

v.

VECTOR RESEARCH, INC.,

Respondent.

CASE NO. OSH 2006-18

ORDER NO. 215

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the initial conference in this matter conducted by the Hawaii Labor Relations Board ("Board") on October 13, 2006, and attended by Robyn M. Kuwabe, Deputy Attorney General, for Complainant and John L. Knorek, Esq., for Respondent, IT IS HEREBY ORDERED THAT:

1. The issues to be determined at trial are:
  - (a) As to Citation 1, Item 1 of the Citation and Notification of Penalty, issued on July 11, 2006 ("Citation"), whether Respondent violated 29 CFR 1910.132(d)(1) as alleged in the Citation. If so, whether the characterization of the violation as "Serious" and the penalty of \$750, including abatement requirements, are appropriate, and if not, what is the appropriate characterization and penalty;
  - (b) As to Citation 1, Item 2 of the Citation, whether Respondent violated 29 CFR 1910.134(c)(1) as alleged in the Citation. If so, whether the characterization of the violation as "Serious" and the penalty of \$750, including abatement requirements, are appropriate, and if not, what is the appropriate characterization and penalty; and
  - (c) As to Citation 2, Item 1 of the Citation, whether Respondent violated 29 CFR 1910.1200(e)(1) as alleged in the Citation. If so, whether the characterization of the violation as "Other" is appropriate.
2. Discovery and other deadlines are:

Identification of any affirmative defenses November 13, 2006


Identification of unnamed and live witnesses December 12, 2006

Discovery cutoff January 12, 2007

3. The trial is scheduled in this matter on February 13, 2007 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.
4. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, October 23, 2006.

HAWAII LABOR RELATIONS BOARD

  
BRIAN K. NAKAMURA, Chair

  
EMORY J. SPRINGER, Member

  
SARAH R. HIRAKAMI, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees, if any, at least five working days prior to the trial date.

Copies sent to:

Robyn M. Kuwabe, Deputy Attorney General  
John L. Knorek, Esq.